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Attorneys for Defendants UNITED AGRI PRODUCTS, INC., and UAP DISTRIBUTION, INC.

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

KEN KUNZLER

Plaintiff,

v.

UNITED AGRI PRODUCTS, INC., UAP
DISTRIBUTION, INC., and DOES 1 through
25, inclusive,

Defendants.

CASE NO. C 07-03555 EMC

**REQUEST TO APPEAR
TELEPHONICALLY AT INITIAL
CASE MANAGEMENT CONFERENCE**

TO THE HONORABLE COURT:

Defendants UNITED AGRI PRODUCTS, INC., and UAP DISTRIBUTION, INC. ("Defendants") respectfully request that their lead trial counsel be permitted to attend the Initial Case Management Conference telephonically, which is scheduled for October 17, 2007, at 1:30 p.m. All parties will have met and conferred regarding case handling and the Initial Case Management Conference by October 17, 2007. In the interest of conserving time and expenses,

1 Defendants request that their lead trial counsel be allowed to attend the Initial Case Management
2 Conference via telephone.

3 Ross W. Johnson, Esq., lead trial counsel for Defendants UNITED AGRI PRODUCTS,
4 INC., and UAP DISTRIBUTION, INC., works and lives outside of the Northern District of
5 California. Mr. Johnson's office is located in Des Moines, Iowa, and will incur significant
6 expense in traveling to California to personally attend the Initial Case Management Conference.

7 Mr. Johnson is scheduled to meet and confer with plaintiff's counsel on September 21,
8 2007, and significant time and expense will be conserved if Mr. Johnson is granted permission to
9 attend the initial case management conference via telephone.

10 In addition, Defendants are informed and believe that Plaintiff's counsel would also like to
11 appear at the case management conference telephonically. Plaintiff's counsel lives and works in
12 Ukiah and will also incur significant time and expense to personally attend the case management
13 conference.

14 Defendants UNITED AGRI PRODUCTS, INC., and UAP DISTRIBUTION, INC. have
15 local counsel, who can personally appear at the Case Management Conference if required by the
16 Court.

17 Dated: September_13, 2007

By: /s/

Ross Johnson, Esq.
Carolyn Gunkel, Esq.
Attorneys for Defendants United Agri Products, Inc.
and UAP Distribution, Inc.

ORDER

Good cause being shown, IT IS HEREBY ORDERED, that Ross W. Johnson, Esq., lead trial counsel for Defendants UNITED AGRI PRODUCTS, INC., and UAP DISTRIBUTION, INC., is permitted to appear by telephone at the Initial Case Management Conference, scheduled for October 17, 2007 at 1:30 p.m.

Dated: _____

Judge of the U.S. District Court

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